

REDACTED

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

UNITED STATES OF AMERICA)	<u>UNDER SEAL</u>
)	
v.)	CRIMINAL NO. 2:07cr
)	
ROBERT CARLOS MORALES, a/k/a "Carlos" (Counts 1, 3))	21 U.S.C. § 846 Conspiracy to Distribute and Possess With Intent to Distribute Cocaine, Heroin and Marijuana
)	
RUBEN LUIS SANCHEZ, a/k/a "Robert" a/k/a "Cojones" (Counts 1, 4-15))	21 U.S.C. § 841(a)(1) Distribution of Cocaine, Heroin or Marijuana
)	
FRANCISCO JAVIER MARTINEZ, a/k/a "Frankie" (Counts 1, 3))	21 U.S.C. § 841(a)(1) (Counts 2-15)
)	
FRANCISCO JAVIER MORALES, a/k/a "Pancho" (Counts 1-2))	21 U.S.C. § 853 Forfeiture Allegation
)	
DEAN CURTIS SAWYER, (Count 1))	
)	
Defendants.)	

JUNE 2007 TERM - At NorfolkCOUNT 1

THE GRAND JURY CHARGES THAT:

From in or about June 2004, the exact date being to the Grand Jury unknown, and continuously thereafter up to and including the date of this indictment, at Portsmouth, Virginia, in the Eastern District of Virginia, and elsewhere, ROBERT CARLOS MORALES, a/k/a "Carlos,"

RUBEN LUIS SANCHEZ, a/k/a "Robert," and a/k/a "Cojones," FRANCISCO JAVIER MARTINEZ, a/k/a "Frankie," FRANCISCO JAVIER MORALES, a/k/a "Pancho," and DEAN CURTIS SAWYER, the defendants herein, did unlawfully, knowingly and intentionally combine, conspire, confederate and agree together with each other and with other persons known and unknown to the grand jury to commit the following offenses against the United States:

1. To knowingly, intentionally and unlawfully distribute and possess with the intent to distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II narcotic controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(ii).
2. To knowingly, intentionally and unlawfully distribute and possess with the intent to distribute one thousand (1,000) kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A)(vii).
3. To knowingly, intentionally and unlawfully distribute and possess with the intent to distribute one hundred (100) grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(i).

WAYS, MANNER AND MEANS TO ACCOMPLISH THE CONSPIRACY

The ways, manner and means by which this purpose was carried out included but were not limited to the following:

1. It was part of the conspiracy that the defendants ROBERT CARLOS MORALES, a/k/a "Carlos," and RUBEN LUIS SANCHEZ, a/k/a "Robert," served as overall leaders, organizers

and managers of the conspiracy, in that among other things, they supplied marijuana and heroin, both Schedule I controlled substances, and cocaine, a Schedule II narcotic controlled substance, which was sent via Federal Express and via couriers from Brownsville, Texas to distributors in various cities in Virginia, Florida, North Carolina, Texas, Alabama, Indiana and Nebraska, they recruited co-conspirators to package the controlled substances, they determined the prices to be charged for the controlled substances, and directed co-conspirators and customers in other cities across the United States regarding payment for the controlled substances.

2. It was further a part of the conspiracy that defendants FRANCISCO JAVIER MARTINEZ, a/k/a "Frankie," and FRANCISCO JAVIER MORALES, a/k/a "Pancho" assisted ROBERT CARLOS MORALES and RUBEN LUIS SANCHEZ and others in, among other things, packaging the controlled substances, transporting controlled substances, and picking up monies owed for controlled substances.

3. It was further a part of the conspiracy that the defendant DEAN CURTIS SAWYER served as the overall leader of the conspiracy in North Carolina, in that he oversaw the distribution of controlled substances received from co-conspirators in Brownsville, Texas in various cities in and around Raleigh, North Carolina; and on occasion traveled from North Carolina to the Eastern District of Virginia to facilitate the operation of this conspiracy in the cities of Norfolk, Chesapeake and Portsmouth, Virginia.

4. It was further a part of the conspiracy that the defendants and unindicted co-conspirators used private mail services, such as Federal Express, to send packages containing marijuana and black tar heroin to co-conspirators in various cities in Virginia, North Carolina, Florida, Texas, Alabama, Indiana and Nebraska. The marijuana contained in these packages was

generally broken down into five pound slabs, vacuum sealed, wiped down with bleach, and then wrapped again in plastic wrap. No additional packaging materials were generally used in the shipping of marijuana by members of this conspiracy.

5. It was further a part of the conspiracy that the defendants and unindicted co-conspirators generally used couriers to transport kilogram quantities of cocaine to various cities in the Eastern District of Virginia and elsewhere in the United States. These couriers used Greyhound bus service, privately owned vehicles and rental vehicles to transport the cocaine from Brownsville, Texas to the Eastern District of Virginia and elsewhere.

6. It was further a part of the conspiracy that the members of this conspiracy, in addition to transporting drug proceeds in privately owned vehicles and rental vehicles, used Western Union and Money Gram to send quantities of U.S. currency to the defendants and unindicted co-conspirators in Brownsville, Texas as payment for controlled substances. The defendants and unindicted co-conspirators would send drug payments to co-conspirators in their own names and also used nominees to send money. The defendants and co-conspirators in Brownsville, Texas would direct co-conspirators to send drug payments to them in their own names, but would also direct co-conspirators to send money to nominees, such as girlfriends, who would receive the monies for them in Texas.

7. It was further a part of the conspiracy that the defendants and unindicted co-conspirators would and did derive substantial income and gross receipts from their unlawful activities, that is, the primary object was to make money through their illegal drug dealing.

OVERT ACTS

In furtherance of the conspiracy and to accomplish one or more of the purposes thereof, at least one of the following overt acts, among others, was committed in the Eastern District of Virginia:

1. On or about June 19, 2004, an unindicted co-conspirator in Portsmouth, Virginia sent \$100.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as a show of good faith to convince ROBERT CARLOS MORALES to begin supplying him with marijuana.
2. Between on or about June 28, 2004 until July 14, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in Jacksonville, Florida by sending four separate packages via Federal Express as follows: (1) a package sent on June 28, 2004 containing approximately 40 pounds of marijuana in the name James Williams to [REDACTED] [REDACTED], Jacksonville, Florida where it was received on July 14, 2004; (2) a package sent on July 2, 2004 containing approximately 49 pounds of marijuana in the name Julian Johnson to [REDACTED] [REDACTED], Jacksonville, Florida where it was received on July 3, 2004; (3) a package sent on July 9, 2004 containing approximately 49 pounds of marijuana in the name Tracey Jones to [REDACTED] [REDACTED], Jacksonville, Florida where it was received on July 10, 2004; and (4) a second package also sent on July 9, 2004, containing approximately 50 pounds of marijuana in the name Courtney Smith to [REDACTED] [REDACTED], Jacksonville, Florida where it was received on July 10, 2004.

3. On or about July 10, 2004, an unindicted co-conspirator in Portsmouth, Virginia sent \$200.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as payment for marijuana.

4. From on or about July 19, 2004, and July 21, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in Jacksonville, Florida by sending a package on or about July 19, 2004 containing approximately 52 pounds of marijuana in the name Courtney Smith to [REDACTED], Jacksonville, Florida where it was received on July 20, 2004; and a second package on or about July 21, 2004 containing approximately 34 pounds of marijuana in the name Courtney Taylor to [REDACTED], Jacksonville, Florida where it was received on July 22, 2004.

5. On or about July 29, 2004, an unindicted co-conspirator in Portsmouth, Virginia sent \$1,200.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as payment for marijuana.

6. On or about July 29, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Eastern District of Virginia by sending a package containing approximately 48 pounds of marijuana to [REDACTED], Norfolk Virginia where it was received and signed for by a co-conspirator using the name Mike Taylor at 8:46 a.m. on July 30, 2004.

7. On or about August 1, 2004, an unindicted co-conspirator in Portsmouth, Virginia sent \$500.00 via Western Union to FRANCISCO MARTINEZ in South Padre Island, Texas as payment for marijuana.

8. On or about August 6, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Eastern District of Virginia by sending two packages the first containing approximately 21 pounds of marijuana to [REDACTED], Norfolk Virginia where it was received and signed for by a co-conspirator using the name John Williams at 9:31 a.m. on August 7, 2004; and the second containing approximately 23 pounds of marijuana to [REDACTED], Newport News, Virginia where it was received and signed for by a co-conspirator using the name Michael Jones at 2:00 p.m. on August 7, 2004.

9. On or about August 9, 2004, a co-conspirator in Norfolk, Virginia sent \$500.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as payment for marijuana.

10. On or about August 10, 2004, a co-conspirator in Chesapeake, Virginia sent \$950.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as payment for marijuana.

11. On or about August 11, 2004, a co-conspirator in Norfolk, Virginia sent \$200.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as payment for marijuana.

12. On or about August 14, 2004, a co-conspirator in Norfolk, Virginia sent \$200.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as payment for marijuana.

13. On or about August 17, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators

delivered marijuana to co-conspirators in the Eastern District of Virginia by sending a package containing approximately 29 pounds of marijuana to [REDACTED], Norfolk, Virginia where it was received and signed for by a co-conspirator using the name Mike Taylor at on August 18, 2004.

14. On or about August 19, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators sent a package containing approximately 19 pounds of marijuana to co-conspirators at [REDACTED] [REDACTED], Jacksonville, Florida.

15. On or about August 19, 2004, a co-conspirator in Chesapeake, Virginia sent \$950.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as payment for marijuana.

16. On or about August 23, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators sent marijuana to co-conspirators in the Jacksonville, Florida area by sending a package containing approximately 40 pounds of marijuana to [REDACTED], Jacksonville, Florida.

17. On or about August 24, 2004, a co-conspirator in Norfolk, Virginia sent \$900.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as payment for marijuana.

18. On or about August 24, 2004, in Raleigh, North Carolina, DEAN SAWYER sent \$500.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as payment for marijuana.

19. On or about August 25, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators sent

a package containing approximately 12 pounds of marijuana to DEAN SAWYER at [REDACTED]
[REDACTED], Apex, North Carolina.

20. On or about August 26, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Eastern District of Virginia by sending a package via Federal Express containing approximately 20 pounds of marijuana to [REDACTED], Chesapeake, Virginia.

21. On or about August 26, 2004, a co-conspirator in Norfolk, Virginia sent \$375.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as payment for marijuana.

22. On or about August 26, 2004, at [REDACTED], Brownsville, Texas, FRANCISCO MORALES possessed approximately 28 grams of marijuana and approximately one ounce (28 grams) of cocaine.

23. On or about August 27, 2004, a co-conspirator in Norfolk, Virginia sent \$500.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as payment for marijuana.

24. On or about August 27, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Jacksonville, Florida area by sending a package via Federal Express containing approximately 38 pounds of marijuana to [REDACTED], Orange Park, Florida.

25. From on or about September 4, 2004, until on or about September 16, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Jacksonville,

Florida area by sending five separate packages via Federal Express as follows: (1) a package on September 4, 2005 containing approximately 53 pounds of marijuana to [REDACTED], Jacksonville, Florida; (2) a second package on September 10, 2004 containing approximately 13 pounds of marijuana to [REDACTED], Jacksonville, Florida; (3) another package on September 10, 2004 containing approximately 44 pounds of marijuana to [REDACTED], Orange Park, Florida; (4) a package on September 16, 2004 containing approximately 46 pounds of marijuana to [REDACTED], Jacksonville, Florida; and (5) a package on September 14, 2004 containing approximately 44 pounds of marijuana to [REDACTED], Jacksonville, Florida.

26. On or about September 22, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Eastern District of Virginia by sending a package via Federal Express containing approximately 34 pounds of marijuana to [REDACTED], Chesapeake, Virginia.

27. On or about September 29, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Eastern District of Virginia by sending a package via Federal Express containing approximately 11 pounds of marijuana to [REDACTED], Norfolk, Virginia.

28. On or about October 4 and October 5, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Jacksonville, Florida area by sending a

package on October 4, 2004 via Federal Express containing approximately 45 pounds of marijuana to [REDACTED], Jacksonville, Florida; and sending a package on October 5, 2004 [REDACTED] [REDACTED], Jacksonville, Florida, which was seized by investigators with the Jacksonville Sheriff's Office and found to contain approximately 42 pounds of marijuana.

29. On or about October 7 and October 9, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Eastern District of Virginia by sending two packages via Federal Express; the first on October 7, 2004 containing approximately 44 pounds of marijuana to [REDACTED], Chesapeake, Virginia, and the second on October 9, 2004 containing approximately 45 pounds of marijuana to [REDACTED], Chesapeake, Virginia.

30. On or about October 16, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Eastern District of Virginia by sending a package via Federal Express containing approximately 43 pounds of marijuana to [REDACTED], Norfolk, Virginia.

31. On or about October 21, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Eastern District of Virginia by sending a package via Federal Express containing approximately 41 pounds of marijuana to [REDACTED] [REDACTED], Chesapeake, Virginia.

32. From on or about October 22, 2004, until on or about October 29, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Jacksonville, Florida area by sending three separate packages via Federal Express as follows: (1) on October 22, 2004 containing approximately 45 pounds of marijuana to [REDACTED], Jacksonville, Florida; (2) on October 26, 2004 containing approximately 42 pounds of marijuana to [REDACTED], Orange Park, Florida; and (3) on October 29, 2004 containing approximately 42 pounds of marijuana to [REDACTED], Jacksonville, Florida.

33. On or about November 8 and November 11, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Jacksonville, Florida area by sending two packages via Federal Express; the first on November 8, 2004 containing approximately 44 pounds of marijuana to [REDACTED], Jacksonville, Florida, and the second on November 11, 2004 containing approximately 45 pounds of marijuana to [REDACTED], Jacksonville, Florida.

34. On or about November 17, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Eastern District of Virginia by sending a package via Federal Express containing approximately 26 pounds of marijuana to [REDACTED], Norfolk, Virginia.

35. On or about November 17, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators

delivered marijuana to co-conspirators in the Orlando, Florida area by sending a package via Federal Express containing approximately 45 pounds of marijuana to [REDACTED], Kissimmee, Florida.

36. On or about November 19, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Eastern District of Virginia by sending a package via Federal Express containing approximately 33 pounds of marijuana to [REDACTED]
[REDACTED], Chesapeake, Virginia.

37. On or about November 23, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Orlando, Florida area by sending a package via Federal Express containing approximately 46 pounds of marijuana to [REDACTED], Kissimmee, Florida.

38. On or about November 29, 2004, in Raleigh, North Carolina, DEAN SAWYER sent \$500.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as payment for marijuana.

39. From on or about December 3, 2004 through December 4, 2004, in Chesapeake, Virginia, co-conspirators stayed at the Comfort Suites hotel, having traveled to the Eastern District of Virginia from Brownsville, Texas for the purpose of obtaining approximately \$22,000.00 U.S. currency which was payment for controlled substances previously delivered via Federal Express.

40. On or about December 7, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Jacksonville, Florida area by sending a package via

Federal Express containing approximately 42 pounds of marijuana to [REDACTED], Orange Park, Florida.

41. On or about December 9, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Orlando, Florida area by sending a package via Federal Express containing approximately 38 pounds of marijuana to [REDACTED], Kissimmee, Florida.

42. On or about December 10, 2004 and December 11, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Eastern District of Virginia by sending two packages via Federal Express; the first on December 10, 2004 containing approximately 32 pounds of marijuana to [REDACTED], Norfolk, Virginia, and the second on December 11, 2004 containing approximately 29 pounds of marijuana to [REDACTED], Chesapeake, Virginia.

43. On or about December 12, 2004, in Chesapeake, Virginia, co-conspirators sent \$500.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as payment for marijuana.

44. On or about December 13, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Orlando, Florida area by sending two packages via Federal Express containing approximately 50 pounds of marijuana to [REDACTED]

[REDACTED], Kissimmee, Florida, and a second package containing approximately 45 pounds of marijuana to [REDACTED], Orlando, Florida.

45. On or about December 14, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Jacksonville, Florida area by sending a package via Federal Express containing approximately 37 pounds of marijuana to [REDACTED], Orange Park, Florida.

46. On or about December 15, 2004 and December 16, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Eastern District of Virginia by sending two packages via Federal Express; the first on December 15, 2004 containing approximately 34 pounds of marijuana to [REDACTED], Norfolk, Virginia, and the second on December 16, 2004 containing approximately 37 pounds of marijuana to [REDACTED], Chesapeake, Virginia.

47. On or about December 16, 2004, in Norfolk, Virginia, co-conspirators possessed approximately 60 pounds of marijuana, which was supplied by the co-conspirators in Brownsville, Texas.

48. On or about December 16, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators attempted to deliver a package containing approximately 25 pounds of marijuana to DEAN SAWYER by sending the package via Federal Express to [REDACTED], Apex, North

Carolina; however the package was seized by officers with the Raleigh Police Department, Raleigh, North Carolina.

49. On or about December 17, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Eastern District of Virginia by sending a package via Federal Express containing approximately 30 pounds of marijuana to [REDACTED], Virginia Beach, Virginia.

50. On or about December 17, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Jacksonville, Florida area by sending a package via Federal Express containing approximately 34 pounds of marijuana to [REDACTED], Orange Park, Florida and the second containing approximately 36 pounds of marijuana to [REDACTED] [REDACTED], Orlando, Florida.

51. On or about December 17, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Orlando, Florida area by sending a package via Federal Express containing approximately 36 pounds of marijuana to [REDACTED], Orlando, Florida.

52. On or about December 18, 2004, in Chesapeake, Virginia, a co-conspirator sent \$200.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as payment for marijuana.

53. On or about December 20, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Jacksonville, Florida area by sending a package via Federal Express containing approximately 41 pounds of marijuana to [REDACTED], Olustee, Florida.

54. From on or about December 21, 2004 until December 22, 2004, in Chesapeake, Virginia, FRANCISCO MARTINEZ stayed at the Fairfield Inn, 1560 Crossways Boulevard, while present in the Eastern District of Virginia to collect monies owed by co-conspirators for marijuana that had been delivered via Federal Express.

55. On or about December 22, 2004, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Orlando, Florida area by sending a package via Federal Express containing approximately 33 pounds of marijuana to [REDACTED], Orlando, Florida.

56. On or about December 24, 2004, in Portsmouth, Virginia, a co-conspirator sent \$1,400.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as payment for marijuana.

57. On or about January 5, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Tampa, Florida area by sending a package via Federal Express containing approximately 13 pounds of marijuana to [REDACTED], Tampa, Florida.

58. On or about January 6, 2005, en route from Brownsville, Texas to Austin, Texas, a co-conspirator was arrested by deputies with the Kingsville County Sheriff's Office while in possession of approximately 168 pounds of marijuana which was owned and controlled by the members of this conspiracy.

59. On or about January 7, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Omaha, Nebraska area by sending a package via Federal Express containing approximately 17 pounds of marijuana to [REDACTED], Omaha, Nebraska.

60. On or about January 13, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Omaha, Nebraska area by sending a package via Federal Express containing approximately 29 pounds of marijuana to [REDACTED], Omaha, Nebraska.

61. On or about January 13, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Orlando, Florida area by sending a package via Federal Express containing approximately 23 pounds of marijuana to [REDACTED] [REDACTED], Orlando, Florida.

62. On or about January 14, 2005, ROBERT CARLOS MORALES directed a co-conspirator to travel by commercial bus from Austin, Texas to the Eastern District of Virginia, in order to transport one to two kilograms of cocaine to co-conspirators in the Eastern District of

Virginia. After arriving in the Eastern District of Virginia, FRANCISCO MARTINEZ and another co-conspirator, who were delivering cocaine and picking up money, stayed at the Courtyard Marriott Hotel, Chesapeake, Virginia.

63. On or about January 17, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Jacksonville, Florida area by sending a package via Federal Express containing approximately 41 pounds of marijuana to [REDACTED], Orange Park, Florida.

64. On or about January 20, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Tampa, Florida area by sending a package via Federal Express containing approximately 36 pounds of marijuana to [REDACTED], Tampa, Florida.

65. On or about January 22, 2005, in Norfolk, Virginia, a co-conspirator sent \$300.00 via Western Union to ROBERT CARLOS MORALES in Brownsville, Texas as payment for marijuana.

66. On or about January 27, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Omaha, Nebraska area by sending a package via Federal Express containing approximately 36 pounds of marijuana to [REDACTED], Omaha, Nebraska.

67. On or about January 27, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Orlando, Florida area by sending a package via Federal

Express containing approximately 25 pounds of marijuana to [REDACTED], Orlando, Florida.

68. On or about January 28, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Eastern District of Virginia by sending a package via Federal Express containing approximately 24 pounds of marijuana to [REDACTED] [REDACTED], Newport News, Virginia.

69. On or about January 28, 2005, in Norfolk, Virginia, a co-conspirator sent \$1,000.00 via Western Union to co-conspirators in Brownsville, Texas as payment for marijuana.

70. On or about January 28, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Tampa, Florida area by sending a package via Federal Express containing approximately 14 pounds of marijuana to [REDACTED], Tampa, Florida.

71. On or about January 29, 2005, in Rusk County, Texas, FRANCISCO MARTINEZ and another co-conspirator were stopped by officers with the Texas Highway Patrol while transporting approximately 3 kilograms of cocaine which was intended for distribution to co-conspirators in the Eastern District of Virginia.

72. On or about January 31, 2005, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators in Brownsville, Texas delivered marijuana to co-conspirators in Virginia, Texas and Florida by sending packages via Federal Express as follows: (1) a package containing approximately 37 pounds of marijuana to [REDACTED], Portsmouth, Virginia; (2) a package containing approximately 36 pounds of marijuana to [REDACTED]

[REDACTED], Austin, Texas; and (3) a package containing approximately 41 pounds of marijuana to [REDACTED], Orange Park, Florida.

73. On or about January 31, 2005, in Portsmouth, Virginia, a co-conspirator sent \$1,000.00 via Western Union to ROBERT CARLOS MORALES and co-conspirators in Brownsville, Texas as payment for marijuana.

74. From on or about February 1, 2005, until on or about February 4, 2005, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators in Brownsville, Texas delivered marijuana to co-conspirators in the Austin, Texas area by sending three different packages via Federal Express each to [REDACTED], Austin, Texas, as follows: (1) on February 1, 2005, a package containing approximately 39 pounds of marijuana; (2) on February 2, 2005, a package containing approximately 14 pounds of marijuana; and (3) on February 4, 2005, a package containing approximately 36 pounds of marijuana.

75. On or about February 2, 2005, in Portsmouth, Virginia, a co-conspirator sent \$1,500.00 via Western Union to ROBERT CARLOS MORALES and co-conspirators in Brownsville, Texas as payment for marijuana.

76. On or about February 7, 2005 and February 8, 2005, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators in Brownsville, Texas delivered marijuana to co-conspirators in the Orlando, Florida by sending two different packages via Federal Express each to [REDACTED], Orlando, Florida, as follows: (1) on February 7, 2005, a package containing approximately 25 pounds of marijuana; and (2) on February 8, 2005, a package containing approximately 34 pounds of marijuana.

77. On or about February 9, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in Florida by sending two packages via Federal Express; the first containing approximately 36 pounds of marijuana to [REDACTED], Kissimmee, Florida, and the second containing approximately 37 pounds of marijuana to [REDACTED], Tampa, Florida.

78. On or about February 10, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Orlando, Florida area by sending three separate packages via Federal Express as follows: (1) a package containing approximately 19 pounds of marijuana to [REDACTED], Kissimmee, Florida; (2) a package containing approximately 38 pounds of marijuana to [REDACTED], Kissimmee, Florida; and (3) a package containing approximately 31 pounds of marijuana to [REDACTED], Orlando, Florida.

79. On or about February 10, 2005 and February 11, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to DEAN SAWYERS by sending two separate packages via Federal Express to [REDACTED], Apex, North Carolina; the first on February 10, 2005 containing approximately 19 pounds of marijuana, and the second on February 11, 2005 containing approximately 18 pounds of marijuana.

80. On or about February 11, 2005, in Raleigh, North Carolina, DEAN SAWYER sent \$300.00 via Western Union to co-conspirators in Brownsville, Texas as payment for marijuana.

81. From on or about February 10, 2005 until on or about February 17, 2005, at the direction of ROBERT CARLOS MORALES, a co-conspirator from Brownsville, Texas stayed at the Super 8 Motel, Portsmouth, Virginia, in order to collect approximately \$15,000.00 U.S. currency from co-conspirators in the Eastern District of Virginia.

82. On or about February 16, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Jacksonville, Florida area by sending a package via Federal Express containing approximately 48 pounds of marijuana to [REDACTED], Orange Park, Florida.

83. On or about February 18, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Orlando, Florida area by sending a package via Federal Express containing approximately 37 pounds of marijuana to [REDACTED], Kissimmee, Florida.

84. On or about February 25, 2005 in Portsmouth, Virginia, a co-conspirator sent \$1,900.00 via Western Union to ROBERT CARLOS MORALES and co-conspirators in Brownsville, Texas in the name of Tanya Hernandez.

85. From on or about February 28, 2005, until on or about March 2, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in Florida by sending three separate packages via Federal Express as follows: (1) a package containing approximately 26 pounds of marijuana to [REDACTED], Orlando, Florida; (2) a package containing

approximately 45 pounds of marijuana to [REDACTED], Orange Park, Florida; and (3) a package containing approximately 28 pounds of marijuana to [REDACTED], Kissimmee, Florida.

86. On or about March 2, 2005 and March 3, 2005 in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Montgomery, Alabama area by sending two separate packages via Federal Express both to Presidential Cuts, [REDACTED], Montgomery, Alabama; the first containing approximately 26 pounds of marijuana, and the second containing approximately 36 pounds of marijuana.

87. On or about March 3, 2005 in Charleston, South Carolina, a co-conspirator sent \$2,000.00 via Western Union to co-conspirators in Brownsville, Texas in the name of Diana Garcia.

88. From on or about March 9, 2005, until on or about March 14, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in Florida by sending five separate packages via Federal Express as follows: (1) a package on March 9, 2005 containing approximately 45 pounds of marijuana to [REDACTED], Orange Park, Florida; (2) a second package on March 9, 2005 containing approximately 18 pounds of marijuana to [REDACTED], Orlando, Florida; (3) a package on March 11, 2005 containing approximately 45 pounds of marijuana to [REDACTED], Orange Park, Florida; (4) a second package on March 11, 2005 containing approximately 37 pounds of marijuana to [REDACTED], Kissimmee, Florida and (5) a package on March 14, 2005 containing approximately 38 pounds of marijuana to [REDACTED], Kissimmee, Florida.

89. On or about March 17, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to DEAN SAWYER by sending a package containing approximately 5 pounds of marijuana via Federal Express to [REDACTED], Apex, North Carolina.

90. On or about March 18, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Jacksonville, Florida area by sending a package via Federal Express containing approximately 50 pounds of marijuana to [REDACTED], Orange Park, Florida.

91. From on or about March 21, 2005, until on or about March 24, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the South Bend, Indiana area by sending four separate packages via Federal Express as follows: (1) a package on March 21, 2005 containing approximately 41 pounds of marijuana to [REDACTED], South Bend, Indiana; (2) a second package on March 21, 2005 containing approximately 38 pounds of marijuana to [REDACTED], South Bend, Indiana; (3) a package on March 23, 2005 containing approximately 41 pounds of marijuana to [REDACTED], South Bend, Indiana; and (4) a package on March 24, 2005 containing approximately 26 pounds of marijuana to [REDACTED], South Bend, Indiana.

92. On or about March 22, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators

delivered marijuana to co-conspirators in the Tampa, Florida area by sending a package via Federal Express containing approximately 25 pounds of marijuana to [REDACTED], Tampa, Florida.

93. On or about March 23, 2005, and returning on or about March 26, 2005, ROBERT CARLOS MORALES and a co-conspirator traveled via Southwest Airlines from Harlingen, Texas to Orlando, Florida; then returned from Tampa, Florida to Harlingen, Texas.

94. From on or about March 28, 2005, until on or about March 30, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Florida by sending two separate packages via Federal Express as follows: (1) a package containing approximately 43 pounds of marijuana to [REDACTED], Orange Park, Florida; and (2) a package containing approximately 36 pounds of marijuana to [REDACTED], Kissimmee, Florida, which was seized by investigators with the Harlingen Police Department, Harlingen, Texas.

95. On or about March 30, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the South Bend, Indiana area by sending a package via Federal Express containing approximately 25 pounds of marijuana to [REDACTED], South Bend, Indiana, which was seized by investigators with the Harlingen Police Department, Harlingen, Texas.

96. On or about March 30, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Montgomery, Alabama area by sending two separate packages via Federal Express to Presidential Cuts, [REDACTED], Montgomery, Alabama;

one containing approximately 42 pounds of marijuana and the other containing approximately 36 pounds of marijuana, both of which were seized by investigators in Montgomery, Alabama.

97. On or about April 1, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Orlando, Florida area by sending a package via Federal Express containing approximately 35 pounds of marijuana to [REDACTED], Orlando, Florida.

98. On or about April 12, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators attempted to deliver marijuana to co-conspirators in the Houston, Texas area by sending a package via Federal Express containing approximately 27 pounds of marijuana to [REDACTED], Houston, Texas; however, the package was returned to World Postmark International, Brownsville, Texas, because the address was inadequate.

99. From on or about April 12, 2005, until on or about April 15, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Austin, Texas area by sending three separate packages via Federal Express each to [REDACTED], Austin, Texas as follows: (1) on April 12, 2005 a package containing approximately 32 pounds of marijuana; (2) on April 14, 2005, a package containing approximately 31 pounds of marijuana; and (3) on April 15, 2005 a package containing approximately 39 pounds of marijuana.

100. On or about April 15, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered

marijuana to co-conspirators in the Orlando, Florida area by sending a package via Federal Express containing approximately 29 pounds of marijuana to [REDACTED], Apopka, Florida.

101. On or about April 20, 2005, in Chesapeake, Virginia, a co-conspirator sent \$200.00 via Money Gram to ROBERT CARLOS MORALES in Brownsville, Texas a payment for marijuana.

102. On or about April 21, 2005, and April 22, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Orlando, Florida area by sending two packages via Federal Express the first containing approximately 34 pounds of marijuana [REDACTED] [REDACTED], Kissimmee, Florida, and the second containing approximately 37 pounds of marijuana to 4813 Ford E Stevens Street, Orlando, Florida.

103. On or about April 25, 2005, at 40 Cuba Street, Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators discarded into the trash, Federal Express delivery documents, wrapping and packaging materials, drug ledgers, hotel receipts, other documents showing addresses for packages, and approximately 52 grams of marijuana.

104. On or about April 25, 2005, and April 26, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in Florida by sending two packages via Federal Express the first containing approximately 36 pounds of marijuana to [REDACTED], Kissimmee, Florida, and the second containing approximately 52 pounds of marijuana to [REDACTED] [REDACTED], Orange Park, Florida.

105. On or about May 6, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Jacksonville, Florida area by sending a package via Federal Express containing approximately 52 pounds of marijuana to [REDACTED], Orange Park, Florida.

106. On or about May 28, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Eastern District of Virginia area by sending a package via Federal Express containing approximately 14 pounds of marijuana to [REDACTED], Chesapeake, Virginia.

107. From on or about May 28, 2005 until June 4, 2005, in the Eastern District of Virginia, co-conspirators sent money to co-conspirators in Brownsville, Texas as follows: (1) on May 28, 2005, \$1,000.00 was sent from Norfolk, Virginia via Western Union; (2) on May 30, 2005, \$750.00 was sent from Chesapeake, Virginia via Money Gram; (3) on June 1, 2005, \$500.00 was sent from Norfolk, Virginia via Money Gram; and (4) on June 4, 2005, \$700.00 was sent from Norfolk, Virginia via Money Gram.

108. On or about June 8, 2005, in Dallas, Texas, a co-conspirator is arrested while transporting approximately 700 grams of cocaine from Brownsville, Texas to the Eastern District of Virginia.

109. On or about June 15, 2005, at [REDACTED], Norfolk, Virginia, a co-conspirator is arrested after he accepts delivery of a package sent by ROBERT CARLOS

MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators which contained approximately 32 pounds of marijuana.

110. From on or about July 8, 2005, until on or about July 18, 2005, in Brownsville, Texas, ROBERT CARLOS MORALES, FRANCISCO MARTINEZ, FRANCISCO MORALES and other co-conspirators delivered marijuana to co-conspirators in the Houston, Texas area by sending three separate packages via Federal Express each to [REDACTED], Houston, Texas, as follows: on July 8, 2005 a package containing approximately 10 pounds of marijuana; (2) on July 11, 2005 a package containing approximately 27 pounds of marijuana; and (3) on July 18, 2005, a package containing approximately 30 pounds of marijuana.

111. On or about July 26, 2005, at [REDACTED], Portsmouth, Virginia, a co-conspirator received a package containing approximately 25 grams of black tar heroin, a Schedule I narcotic controlled substance, which had been sent by RUBEN SANCHEZ and co-conspirators in Brownsville, Texas via Federal Express.

112. On or about August 2, 2005, in Portsmouth, Virginia, ROBERT CARLOS MORALES and FRANCISCO MARTINEZ were present in the Eastern District of Virginia to collect monies owed by co-conspirators in Virginia, a portion of which was sent by ROBERT CARLOS MORALES via Western Union from Portsmouth, Virginia to co-conspirators in Brownsville, Texas.

113. On or about August 5, 2005, a co-conspirator in Portsmouth, Virginia sent \$2,500.00 via Money Gram to RUBEN SANCHEZ and other co-conspirators in Brownsville, Texas as payment for controlled substances.

114. On or about August 7, 2005, ROBERT CARLOS MORALES and FRANCISCO MARTINEZ travel via Greyhound Bus from Norfolk, Virginia to Brownsville, Texas.

115. On or about August 9, 2005, at [REDACTED], Portsmouth, Virginia, a co-conspirator received a package containing approximately 14 grams of black tar heroin, a Schedule I narcotic controlled substance, which had been sent by RUBEN SANCHEZ and co-conspirators in Brownsville, Texas via Federal Express.

116. On or about August 29, 2005, in Newport News, Virginia a co-conspirator sent \$1,100.00 via Money Gram to RUBEN SANCHEZ and other co-conspirators in Brownsville, Texas as payment for controlled substances.

117. On or about September 1, 2005, at [REDACTED], Portsmouth, Virginia, a co-conspirator received a package containing approximately 7 grams of black tar heroin, a Schedule I narcotic controlled substance, which had been sent by RUBEN SANCHEZ and co-conspirators in Brownsville, Texas via Federal Express.

118. On or about September 1, 2005, at World Postmark International, 5095 South Padre Island Highway, Suite 2, Brownsville, Texas, ROBERT CARLOS MORALES and FRANCISCO MORALES possessed a Federal Express package which contained approximately 23 pounds of marijuana. The package recovered from ROBERT CARLOS MORALES and FRANCISCO MORALES which contained the marijuana was addressed to [REDACTED], Apopka, Florida, in the Orlando, Florida area.

119. On or about September 29, 2005, in Portsmouth, Virginia a cooperating witness sent \$950.00 via Money Gram to RUBEN SANCHEZ and other co-conspirators in Brownsville, Texas as payment for controlled substances.

120. On or about October 5, 2005, in the Eastern District of Virginia, RUBEN SANCHEZ and co-conspirators in Brownsville, Texas distributed approximately 7 grams of black tar heroin, a Schedule I narcotic controlled substance, by sending it via Federal Express from Brownsville, Texas to a cooperating witness in Norfolk, Virginia.

121. On or about October 6, 2005, in Portsmouth, Virginia, a cooperating witness sent \$1,000.00 via Money Gram to RUBEN SANCHEZ and other co-conspirators in Brownsville, Texas as payment for controlled substances.

122. On or about October 20, 2005, in the Eastern District of Virginia, RUBEN SANCHEZ and co-conspirators in Brownsville, Texas distributed approximately 7 grams of black tar heroin, a Schedule I narcotic controlled substance, by sending it via Federal Express from Brownsville, Texas to a cooperating witness in Norfolk, Virginia. That same day, the cooperating witness sent \$1,000.00 via Money Gram from Portsmouth, Virginia to RUBEN SANCHEZ and other co-conspirators in Brownsville, Texas as payment for controlled substances.

123. On or about October 27, 2005, in Burlington, North Carolina, a co-conspirator, who was visiting the area from Brownsville, Texas to pick up monies owed for controlled substances, possessed approximately \$74,000.00 in U.S. currency.

124. On or about October 31, 2005, in Brownsville, Texas, RUBEN SANCHEZ and other co-conspirators delivered marijuana to co-conspirators in the Tampa, Florida area by sending a package via Federal Express containing approximately 25 pounds of marijuana to [REDACTED], Tampa, Florida.

125. On or about December 5, 2005, in the Eastern District of Virginia, RUBEN SANCHEZ and co-conspirators in Brownsville, Texas distributed approximately 7 grams of black

tar heroin, a Schedule I narcotic controlled substance, by sending it via Federal Express from Brownsville, Texas to a cooperating witness in Norfolk, Virginia.

126. On or about December 14, 2005, in Portsmouth, Virginia a cooperating witness sent \$1,000.00 via Money Gram to RUBEN SANCHEZ and other co-conspirators in Brownsville, Texas as payment for controlled substances.

127. On or about December 21, 2005, in Brownsville, Texas, RUBEN SANCHEZ and other co-conspirators delivered marijuana to co-conspirators in the Tampa, Florida area by sending a package via Federal Express containing approximately 10 pounds of marijuana to [REDACTED] [REDACTED], Tampa, Florida.

128. On or about May 15, 2006, in Brownsville, Texas, RUBEN SANCHEZ and other co-conspirators sent a package containing approximately 11 pounds of marijuana to DEAN SAWYER at [REDACTED], Raleigh, North Carolina, which was seized by investigators with the Harlingen County Police Department, Harlingen, Texas.

129. On or about July 13, 2006, in Brownsville, Texas, RUBEN SANCHEZ and other co-conspirators sent a package containing approximately 6 pounds of marijuana to DEAN SAWYER at [REDACTED], Raleigh, North Carolina, which was seized by investigators with the Wake County Sheriff's Office, Raleigh, North Carolina.

130. On or about July 16, 2006, at Raleigh, North Carolina, DEAN SAWYER sent \$900.00 via Money Gram to co-conspirators in Brownsville, Texas.

131. On or about July 27, 2006, in the Eastern District of Virginia, RUBEN SANCHEZ and co-conspirators in Brownsville, Texas distributed approximately 7 grams of black tar heroin, a Schedule I narcotic controlled substance, by sending it via Federal Express from Brownsville, Texas to a cooperating witness in Norfolk, Virginia.

132. On or about July 29, 2006, in Portsmouth, Virginia a cooperating witness sent \$650.00 via Money Gram to RUBEN SANCHEZ and other co-conspirators in Brownsville, Texas as payment for controlled substances.

133. On or about October 5, 2006, at Raleigh, North Carolina, DEAN SAWYER sent \$900.00 via Money Gram to co-conspirators in Brownsville, Texas.

134. On or about October 31, 2006, in the Eastern District of Virginia, RUBEN SANCHEZ and co-conspirators in Brownsville, Texas distributed approximately 10 grams of black tar heroin, a Schedule I narcotic controlled substance, by sending it via Federal Express from Brownsville, Texas to an undercover agent in Norfolk, Virginia. That same day, the undercover agent sent \$1,100.00 via Money Gram to RUBEN SANCHEZ and other co-conspirators in Brownsville, Texas as payment for heroin that was received.

135. On or about December 21, 2006, in the Eastern District of Virginia, RUBEN SANCHEZ and co-conspirators in Brownsville, Texas distributed approximately 25 grams of black tar heroin, a Schedule I narcotic controlled substance, and approximately 28 grams of cocaine, a Schedule II narcotic controlled substance, by sending them via Federal Express from Brownsville, Texas to an undercover agent in Norfolk, Virginia.

136. On or about December 27, 2006, in the Eastern District of Virginia, RUBEN SANCHEZ and co-conspirators in Brownsville, Texas distributed approximately 8 pounds of marijuana by sending it via Federal Express from Brownsville, Texas to a cooperating witness in Norfolk, Virginia.

137. On or about December 27, 2006, in Portsmouth, Virginia, an undercover agent sent \$2,495.00 via Money Gram to RUBEN SANCHEZ and other co-conspirators in Brownsville, Texas as payment for controlled substances.

138. On or about January 4, 2007, in Portsmouth, Virginia, a cooperating witness deposited \$1,000.00 into a Bank of America bank account in the name of Gerardo Mendez at the direction of co-conspirators in Brownsville, Texas as payment for marijuana.

139. On or about January 5, 2007, in the Eastern District of Virginia, RUBEN SANCHEZ and co-conspirators in Brownsville, Texas, distributed approximately 21 pounds of marijuana by sending it via Federal Express from Brownsville, Texas to a cooperating witness in Norfolk, Virginia.

140. On or about January 9, 2007, in the Eastern District of Virginia, RUBEN SANCHEZ and co-conspirators in Brownsville, Texas, distributed approximately 22 pounds of marijuana by sending it via Federal Express from Brownsville, Texas to a cooperating witness in Norfolk, Virginia.

141. On or about January 10, 2007, in the Eastern District of Virginia, RUBEN SANCHEZ and co-conspirators in Brownsville, Texas, distributed approximately 20 pounds of marijuana by sending it via Federal Express from Brownsville, Texas to a cooperating witness in Norfolk, Virginia.

142. On or about January 13, 2007, in the Eastern District of Virginia, RUBEN SANCHEZ and co-conspirators in Brownsville, Texas, distributed approximately 20 pounds of marijuana and 37 grams of black tar heroin by sending two separate packages containing the controlled substances via Federal Express from Brownsville, Texas to a cooperating witness in Norfolk, Virginia and to an undercover agent in Norfolk, Virginia.

143. On or about March 7, 2007, at San Antonio, Texas, ROBERT MORALES was stopped by investigators with the Texas Department of Highway Patrol after picking up approximately 85 pounds of marijuana.

(All in violation of Title 21, United States Code, Sections 846, and 841(a)(1).)

COUNT 2

On or about August 7, 2004, at Newport News, in the Eastern District of Virginia, FRANCISCO JAVIER MORALES, a/k/a "Pancho," the defendant herein, did unlawfully, knowingly, and intentionally distribute, and did aid and abet the distribution of approximately 23 pounds of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(l) and (B)(1)(D) and Title 18, United States Code, Section 2.)

COUNT 3

On or about June 15, 2005, at Norfolk, in the Eastern District of Virginia, ROBERT CARLOS MORALES and FRANCISCO JAVIER MARTINEZ, the defendants herein, did unlawfully, knowingly, and intentionally distribute, and did aid and abet the distribution of approximately 32 pounds of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(l) and (B)(1)(D) and Title 18, United States Code, Section 2.)

COUNT 4

On or about October 5, 2005, at Norfolk, in the Eastern District of Virginia, RUBEN LUIS SANCHEZ, a/k/a “Robert” or “Cojones,” the defendant herein, did unlawfully, knowingly, and intentionally distribute, and did aid, abet, counsel and command the distribution of approximately 7.4 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (B)(1)(C) and Title 18, United States Code, Section 2.)

COUNT 5

On or about October 20, 2005, at Norfolk, in the Eastern District of Virginia, RUBEN LUIS SANCHEZ, a/k/a “Robert” or “Cojones,” the defendant herein, did unlawfully, knowingly, and intentionally distribute, and did aid, abet, counsel and command the distribution of approximately 5.9 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (B)(1)(C) and Title 18, United States Code, Section 2.)

COUNT 6

On or about December 5, 2005, at Norfolk, in the Eastern District of Virginia, RUBEN LUIS SANCHEZ, a/k/a "Robert" or "Cojones" the defendant herein, did unlawfully, knowingly, and intentionally distribute, and did aid, abet, counsel and command the distribution of approximately 7 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (B)(1)(C) and Title 18, United States Code, Section 2.)

COUNT 7

On or about July 27, 2006, at Norfolk, in the Eastern District of Virginia, RUBEN LUIS SANCHEZ, a/k/a "Robert" or "Cojones" the defendant herein, did unlawfully, knowingly, and intentionally distribute, and did aid, abet, counsel and command the distribution of approximately 6.2 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (B)(1)(C) and Title 18, United States Code, Section 2.)

COUNT 8

On or about October 31, 2006, at Norfolk, in the Eastern District of Virginia, RUBEN LUIS SANCHEZ, a/k/a “Robert” or “Cojones” the defendant herein, did unlawfully, knowingly, and intentionally distribute, and did aid, abet, counsel and command the distribution of approximately 9.9 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (B)(1)(C) and Title 18, United States Code, Section 2.)

COUNT 9

On or about December 21, 2006, at Norfolk, in the Eastern District of Virginia, RUBEN LUIS SANCHEZ, a/k/a “Robert” or “Cojones” the defendant herein, did unlawfully, knowingly, and intentionally distribute, and did aid, abet, counsel and command the distribution of approximately 24.7 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (B)(1)(C) and Title 18, United States Code, Section 2.)

COUNT 10

On or about December 21, 2006, at Norfolk, in the Eastern District of Virginia, RUBEN LUIS SANCHEZ, a/k/a "Robert" or "Cojones" the defendant herein, did unlawfully, knowingly, and intentionally distribute, and did aid, abet, counsel and command the distribution of approximately 27.1 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (B)(1)(C) and Title 18, United States Code, Section 2.)

COUNT 11

On or about December 27, 2005, at Norfolk, in the Eastern District of Virginia, RUBEN LUIS SANCHEZ, a/k/a "Robert" or "Cojones" the defendant herein, did unlawfully, knowingly, and intentionally distribute, and did aid, abet, counsel and command the distribution of approximately 8 pounds of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (B)(1)(D) and Title 18, United States Code, Section 2.)

COUNT 12

On or about January 5, 2007, at Norfolk, in the Eastern District of Virginia, RUBEN LUIS SANCHEZ, a/k/a "Robert" or "Cojones" the defendant herein, did unlawfully, knowingly, and intentionally distribute, and did aid, abet, counsel and command the distribution of approximately 21 pounds of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (B)(1)(D) and Title 18, United States Code, Section 2.)

COUNT 13

On or about January 9, 2007, at Norfolk, in the Eastern District of Virginia, RUBEN LUIS SANCHEZ, a/k/a "Robert" or "Cojones" the defendant herein, did unlawfully, knowingly, and intentionally distribute, and did aid, abet, counsel and command the distribution of approximately 22 pounds of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (B)(1)(D) and Title 18, United States Code, Section 2.)

COUNT 14

On or about January 13, 2007, at Norfolk, in the Eastern District of Virginia, RUBEN LUIS SANCHEZ, a/k/a “Robert” or “Cojones” the defendant herein, did unlawfully, knowingly, and intentionally distribute, and did aid, abet, counsel and command the distribution of approximately 20 pounds of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (B)(1)(D) and Title 18, United States Code, Section 2.)

COUNT 15

On or about January 13, 2007, at Norfolk, in the Eastern District of Virginia, RUBEN LUIS SANCHEZ, a/k/a “Robert” or “Cojones” the defendant herein, did unlawfully, knowingly, and intentionally distribute, and did aid, abet, counsel and command the distribution of approximately 37 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (B)(1)(C) and Title 18, United States Code, Section 2.)

Forfeiture Allegations

A. The defendants, ROBERT CARLOS MORALES, a/k/a "Carlos," RUBEN LUIS SANCHEZ, a/k/a "Robert," and a/k/a "Cojones," FRANCISCO JAVIER MARTINEZ, a/k/a "Frankie," FRANCISCO JAVIER MORALES, a/k/a "Pancho," and DEAN CURTIS SAWYER, if convicted of a violation of the controlled substance act, that being the violations alleged in Count One of the Indictment, namely conspiracy to distribute and possess with the intent to distribute heroin, cocaine and marijuana, or Counts Two through Fifteen, distribution of controlled substances, shall forfeit to the United States:

1. any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as the result of such violation; and
2. any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

B. If any property that is subject to forfeiture above, (a) cannot be located upon the exercise of due diligence, (b) has been transferred to, sold to, or deposited with a third person, (c) has been placed beyond the jurisdiction of the court, (d) has been substantially diminished in value, or (e) has been commingled with other property that cannot be subdivided without difficulty, it is the intent of the United States to seek forfeiture of any other property of the defendant's up to the value described above, as subject to forfeiture under Title 21, United States Code, Section 853(p).

C. The property subject to forfeiture in paragraphs A and B above, includes, but is not limited to:

1. A monetary judgment equaling the sum of not less than \$2.8 million based on the gross proceeds realized from the aforementioned offenses by the defendants and co-conspirators.

(In violation of Title 21, United States Code, Section 853.)

United States v. Robert Carlos Morales, et al
Criminal No. 2:07cr-125

Pursuant to the E-Government Act,
the original of this page has been filed
under seal in the Clerk's Office.

A TRUE BILL:

Foreperson

Chuck Rosenberg
United States Attorney

By: _____

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